

## CHAPTER NO. 255

## HOUSE BILL NO. 308

By Representative Lynn

Substituted for: Senate Bill No. 494

By Senator Bryson

AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 20, Part 1, relative to filling a vacancy on the board of commissioners of a municipality incorporated under a city manager-commission charter.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated § 6-20-110 is amended by designating the existing language as subsection (a) and by adding the following as a new subsection (b):

(b) If within ninety (90) days of the occurrence of a vacancy, the vacancy has not been filled by the remaining members of the commission in accordance with subsection (a), then the mayor, or, if a vacancy exists in the position of mayor, then the city manager, or, if a vacancy exists in the positions of mayor and city manager, then the city recorder, shall notify the county election commission within five (5) business days following the passage of such ninety (90) day period. The county election commission shall call a special election for the purpose of filling such vacancy, provided, however, that such special election shall be held in conjunction with the next general election or city election if such election is scheduled to occur more than seventy-five (75) days but less than one hundred twenty (120) days of the date the county election commission is notified of the unfilled vacancy.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 16, 2005**

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 28<sup>th</sup> day of May 2005**

  
PHIL BREDESEN, GOVERNOR